

House Bill 1421 (AS PASSED HOUSE AND SENATE)

By: Representatives Bridges of the 10th, Collins of the 27th, and Jenkins of the 8th

A BILL TO BE ENTITLED
AN ACT

1 To provide for the method of election of the members of the Board of Education of White
2 County; to provide education districts; to provide for definitions and inclusions; to provide
3 for continuation in office of current members; to provide for election and terms of office of
4 subsequent members; to provide for the filling of vacancies; to provide for submission of this
5 Act for approval under the federal Voting Rights Act of 1965, as amended; to provide for
6 conditional effective dates and automatic repeal; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 There is reconstituted the Board of Education of White County, to be elected and organized
11 as provided for in this Act. The board of education provided by this Act shall be the
12 successor to the Board of Education of White County which existed on December 31, 2010,
13 and shall continue to have the obligations and liabilities of the same. The term "board,"
14 whenever used in this Act, shall mean the Board of Education of White County, including
15 the chairperson and all members.

16 **SECTION 2.**

17 (a) The Board of Education of White County shall be composed of a chairperson and four
18 members to be elected as provided in this Act. For purposes of electing members of the
19 board of education, the White County School District is divided into four education districts.
20 The four education districts shall be and correspond to those four numbered districts
21 described in and attached to and made a part of this Act and further identified as Plan Name:
22 whitep2 Plan Type: Local User: staff Administrator: H010.

23 (b) When used in such attachment, the terms "Tract" and "BG" (Block Group) shall mean
24 and describe the same geographical boundaries as provided in the report of the Bureau of the
25 Census for the United States decennial census of 2000 for the State of Georgia. The separate

numeric designations in a Tract description which are underneath a "BG" heading shall mean and describe individual Blocks within a Block Group as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. Any part of the White County School District which is not included in any such district described in that attachment shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Any part of the White County School District which is described in that attachment as being in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Except as otherwise provided in the description of any education district, whenever the description of such district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 2000 for the State of Georgia.

(c) The board of education shall be composed of a chairperson and one member residing in each education district. The chairperson shall reside in the White County School District. Each board member shall reside in the education district which he or she represents. The chairperson and each member from an education district shall be elected and voted on by the voters of the entire White County School System.

SECTION 3.

(a) The members of the reconstituted Board of Education of White County shall be elected as provided in this subsection. The members from Education Districts 2 and 4 shall be elected at the general election on the Tuesday next following the first Monday in November, 2010. Those members of the board elected from Education Districts 2 and 4 in 2010 shall take office on January 1, 2011, and shall serve for terms of four years and until their successors are duly elected and qualified. The chairperson and the members from Education Districts 1 and 3 serving on January 1, 2011, shall continue to serve for the remainder of their terms and until their successors are duly elected and qualified. Their successors shall be elected at the general election on the Tuesday next following the first Monday in November, 2012. The chairperson and those members of the board elected from Education Districts 1 and 3 in November, 2012, shall take office on January 1, 2013, and shall serve terms of four years and until their successors are duly elected and qualified. Those and all future successors to members of the board whose terms of office are to expire shall be elected at the time of the state-wide general election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve

1 for terms of office of four years and until their respective successors are elected and
2 qualified.

3 (b) The chairperson and members of the board shall be nominated and elected in accordance
4 with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

5 (c) Any vacancy upon the board which occurs for any reason other than expiration of term
6 shall be filled as follows:

7 (1) If the vacancy occurs during the final six months of a term of office, the position
8 shall remain vacant until the next regularly scheduled election; or

9 (2) If the vacancy occurs at any time prior to the time specified in paragraph (1) of this
10 subsection, a successor shall be elected at the next available date for a special election
11 pursuant to O.C.G.A. Section 21-2-540. Any person so elected to fill a vacancy shall
12 serve out the remainder of the unexpired term and until a successor is elected and
13 qualified.

14 **SECTION 4.**

15 It shall be the duty of the attorney of the Board of Education of White County to submit this
16 Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

17 **SECTION 5.**

18 This section and Section 2 of this Act and those provisions of this Act necessary for the
19 election of members of the Board of Education of White County in 2010 shall become
20 effective upon the approval by the electors of White County at the time of the November,
21 2008, general election of the repeal of an Act approved March 27, 1985 (Ga. L. 1985, p.
22 4563), which continued in force and effect as part of the Constitution of the State of Georgia
23 that constitutional amendment duly ratified at the 1963 general election (Res. Act No. 23;
24 H.R. 85-157; Ga. L. 1963, p. 670) providing for the election of the members of the Board of
25 Education of White County. The remaining provisions of this Act shall become effective
26 January 1, 2011. If the electors of White County do not so approve such Act, this Act shall
27 not become effective and be repealed on December 31, 2008.

28 **SECTION 6.**

29 All laws and parts of laws in conflict with this Act are repealed.